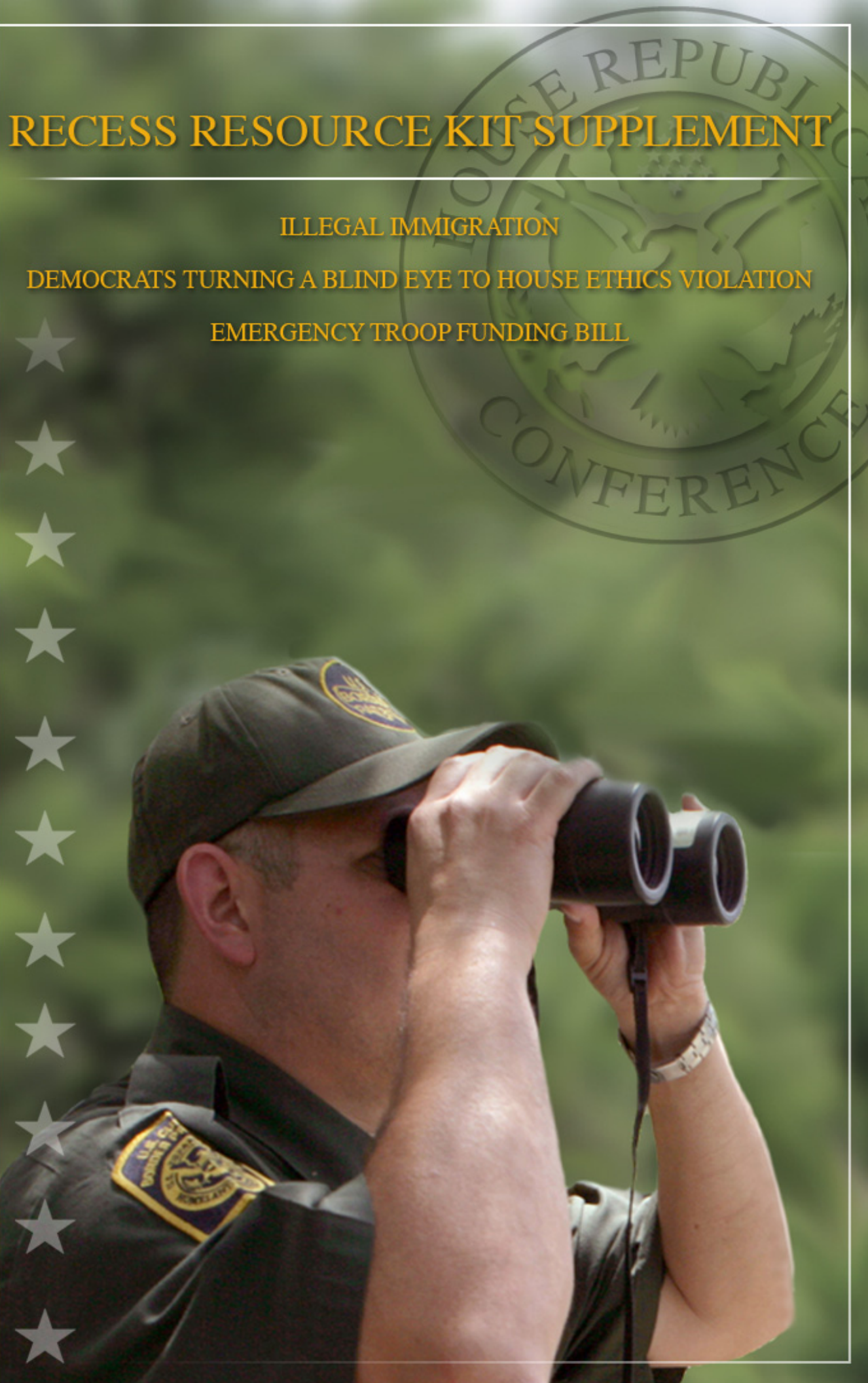


# HOUSE REPUBLICAN CONFERENCE

Secretary John Carter

Vice Chair Kay Granger

Chairman Adam Putnam



## RECESS RESOURCE KIT SUPPLEMENT

ILLEGAL IMMIGRATION

DEMOCRATS TURNING A BLIND EYE TO HOUSE ETHICS VIOLATION

EMERGENCY TROOP FUNDING BILL



# Recess Resource Kit Supplement

House Republican Conference

Dear Republican Colleague:

On Tuesday, Conference distributed the Memorial Day Recess Packet, which contains resources to assist you with media opportunities during the district work period. In this Supplemental Recess Packet, you will find talking points and background materials on several developing issues, including illegal immigration, emergency funding for our troops, and Democrat ethics failures.

I hope you find this information helpful as you spend time in your districts and meet with constituents. If you need additional support materials or did not receive the initial packet on Tuesday, please contact the Conference at 5-5107.

Sincerely,



Adam Putnam

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## TALKING POINTS: Emergency Troop Funding Bill

**OUR PRINCIPLE:** It is well past time that our troops receive the funding they need to succeed in Iraq and Afghanistan without tying the hands of our troops, micromanaging our commanders or using our soldiers as oxen to pull billions in pork across the President's desk.

**Republican unity achieved a victory for our fighting men and women in harm's way.** It forced Democrat leaders to back down from their attempts to micromanage General David Petraeus, declare a surrender date in Iraq and hand the country over to al Qaeda.

**Democrats wasted valuable time in getting our troops the funding they need.** Democrats' political posturing over the last four months put important defense programs in jeopardy.

- **"The funding delay negatively impacts our forces in the field** by needlessly delaying the accelerated fielding of new force protection capabilities such as the Mine Resistant Ambush Protected (MRAP) vehicle and counter-IED technologies..." (Secretary of Defense, 5/9/07)

**Republicans eliminated billions in Democrat pork.** Our unity forced Democrats to scrap some of the most egregious pork that was originally part of the Democrats proposal, including \$25 million for spinach farmers, \$120 million for shrimp and menhaden fishermen, and \$75 million for peanut storage.

**Benchmarks are an important measure of the Iraqi government's progress.** Republicans proposed benchmarks for progress in Iraq in January, and House Democrats rejected them. The Iraqi government has proceeded far too slowly in the necessary political reforms and security measures. While surrender timetables harm our troops, benchmarks that do not tie the hands of our commanders will put pressure on the Iraqis to do their part.

**For months, Democrats pushed irresponsible slow-bleed plans that undermined our troops.** Each time, House Republicans stood united against setting surrender dates and choking off troop funding.

- **February Slow-Bleed:** "Mr. Murtha will 'slow-bleed' the troops with 'readiness' restrictions or limits on National Guard forces that will make them all but impossible to deploy." (*Wall Street Journal*, 2/15/07)
- **March Slow-Bleed:** "The plan is an unruly mess: bad public policy, bad precedent and bad politics." (*Los Angeles Times*, 3/12/07).
- **April Slow-Bleed:** "A congressionally mandated timetable for withdrawal would straitjacket the ability of Gen. David Petraeus, the top commander on the ground, to pursue the stabilization of Iraq ..." (*Chicago Tribune*, 4/27/07)
- **May Slow-Bleed:** "This is no way to run a war. Wars are won by soldiers on the ground, not by government accountants doling out money in dribs and drabs ..." (*Investor's Business Daily*, 5/9/07)

## It's Official: Democrats Vote to Cover Up Murtha Ethics Violation

***LAST YEAR: "Murtha has lots of ethics issues. What the hell is [Pelosi] thinking? Corruption turns out to be a major issue in the campaign, and you endorse the guy with the more ethics problems?"***

-- Melanie Sloan, Citizens for Responsibility and Ethics in Washington ([The Nation, 11/13/06](#))

Drain the Swamp?	Stuck in the Swamp
<p><b>Speaker Nancy Pelosi:</b> "We told the American people that <u>Democrats</u> would 'drain the swamp' and change the way business is done in Washington." (<a href="#">Release, 5/17/07</a>)</p> <p>"House Speaker-elect Nancy Pelosi unveiled her agenda Thursday for the first 100 hours of what she promised would be 'the most honest and open Congress in history.'" (<a href="#">CNN, 12/14/06</a>)</p>	<p><b>218 Democrats</b> voted to cover up Rep. John Murtha's ethics violation and shield him from an official reprimand today.</p> <p><i>The Wall Street Journal</i> laid out the vote's significance this way: "<b>Democrats now have a choice, which is to go along with the public reprimand for a visible leader or go soft on one of their signature campaign promises.</b>" (Editorial, 5/22/07)</p> <p>218 Democrats chose to break their promises.</p> <p><b>Background:</b> "<u>Murtha has not disputed a Republican claim</u> that he stormed across the House floor May 17 to confront Rep. Mike Rogers, R-Mich. Rogers had tried unsuccessfully to strike a \$23 million Murtha earmark... the Democrat angrily told Rogers he should never seek earmarks of his own because 'you're not going to get any, now or forever.'" (<a href="#">AP, 5/22/07</a>; <a href="#">AP 5/21/07</a>)</p> <p>Republicans have challenged the Murtha earmark in an effort to root out wasteful spending and bring accountability and sunlight to this process.</p> <p>The Murtha earmark for a drug intelligence center in his district has been criticized as a "boondoggle" by <i>U.S. News &amp; World Report</i> and a "jobs program Murtha wanted" by former drug enforcement officials. (<a href="#">U.S. News &amp; World Report,</a> 5/1/05)</p> <p><i>The Washington Examiner</i> argued that "By any rational standard, this \$400 million disaster should have been shut down a long time ago." (Editorial, 5/22/07)</p>

## *National Review Online*

### **No Wonder Our Ratings Are So Low**

#### *The Sopranos on Capitol Hill?*

By Mike Rogers

May 21, 2007, 7:00 a.m.

Bridges to nowhere. The \$100 hammer. A rainforest in Iowa. Billions of taxpayer dollars unaccounted for.

Its no wonder the American people are disgusted with the way Congress spends their money. In the latest incident certain to cement the public's frustration, a powerful chairman threatened and attempted to intimidate me when I tried to stop wasteful, duplicative spending from what the *U.S. News and World Report* has called a taxpayer "boondoggle." Even more troubling, this pork-barrel project takes precious intelligence resources from spies on the ground catching terrorists in places like Fallujah, Iraq, and sends it to bureaucrats in Johnstown, Pennsylvania.

Two weeks ago, I offered a proposal to the Fiscal Year 2008 Intelligence Authorization Act that would have taken funding away from an illegitimate, wasteful earmark that happened to be in the district of House Defense Appropriations chairman John Murtha (D., Pa.). Chairman Murtha's earmark would authorize tens of millions for the National Drug Intelligence Center (NDIC), a government office that the House Government Reform Committee has deemed "an expensive and duplicative use of scarce federal drug enforcement resources," according to an article in the May 8 edition of *The Hill*.

Last week, on the House floor, Chairman Murtha violated House rules in an expletive-laced tirade, pointing his finger and threatening my priorities "now and forever." Just last week, Chairman Murtha "exploded" and "unleashed a loud, finger-jabbing, spittle-spraying piece of his mind" at a colleague on his committee, according to *The Hill*. Chairman Murtha then "...threatened to withdraw support from a defense project..." vital to his colleague's district, according to the article. This week he attempted to intimidate me and when I had the audacity to question the merits of the project, his reaction was more finger pointing and intimidation.

Today I will introduce a resolution outlining this egregious action which is not only beneath the dignity of Congress, it constitutes a violation of House rules, which preclude Members from conditioning spending in other districts on another member's vote. The House should reprimand Chairman Murtha for his conduct.

This incident in the people's house highlighted arrogance of power at its worse and both political parties are guilty. This is why the American people throw up their hands and are fed up with Washington politicians. If we are ever going to restore the trust of the American people, Congress can and must do better.

This reminds me how far some in Congress have gotten away from America's founding. When General George Washington led a rag-tag group of Americans to defeat the most

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powerful military in the world, many in this new land wanted him to be king. Many feared without a strong, all-powerful leader our new nation would be vulnerable to attack. A beautiful painting hangs in the rotunda of the U.S. Capitol building highlighting Washington's next action, which was perhaps unprecedented in all of history. George Washington voluntarily resigned his commission as head of the Revolutionary Army, giving up personal gain for the greater good of the new nation. Too many in Washington, D.C., of both parties have instead taken from the greater good for their own gain.

The House floor is not the place for an episode of *The Sopranos* and protecting the public's tax dollars is a basic duty of all Members of Congress. The good news is this could be an opportunity for Republicans and Democrats to change the way Congress does business and to change the way taxpayer money is spent. The country and our citizens' pocketbooks would be better off for it.

— *The Honorable Mike Rogers, a Republican congressman from Michigan, is a former FBI special agent.*

*Los Angeles Times*

EDITORIAL

## **Murtha's misstep**

*The Pennsylvania Democrat tarnishes the party's image and nearly receives a reprimand playing 'earmark' politics.*

May 23, 2007

WITH DEMOCRATS like Rep. John P. Murtha of Pennsylvania, House Speaker Nancy Pelosi doesn't need Republicans. After Pelosi promised that Democrats would preside over "the most honest, the most open and the most ethical Congress," Murtha, whom Pelosi unsuccessfully pushed for majority leader, described a Democratic lobbying reform proposal as "total crap." (He graciously added, however, that he'd support the legislation because "that's what Nancy wants.")

Murtha's latest gift to Pelosi is a confrontation in which he allegedly told Rep. Mike Rogers (R-Mich.), who had opposed one of Murtha's pet projects, that "I hope you don't have any earmarks in the defense appropriation bill because they are gone, and you will not get any earmarks now and forever." Rogers, a former FBI agent, asserted that Murtha had turned the House floor into an episode of "The Sopranos," and he filed a resolution accusing his colleague of violating House rules. On Tuesday, the resolution was tabled on a largely party-line vote, but not before Democrats were put excruciatingly on the defensive on what Pelosi has made a signature issue. Expect Republicans to continue making "Sopranos" jokes.

Actually, Tony Soprano is a less likely role model for Murtha than Lyndon B. Johnson, but that's part of the problem for Pelosi. The Almanac of American Politics describes Murtha in terms that also would suit LBJ: "one of those old-time politicians who operate best in secret." Unfortunately for Democrats, Murtha's confrontation with Rogers was public, as was the vote by which the complaint against the master appropriator was put on procedural ice.

It doesn't help the Democrats' image that this dispute over Murtha's comments originated in an earmark, a special-interest provision widely seen as part of the "culture of corruption" decried by Democrats in the last election. Rogers angered Murtha by trying to scuttle \$23 million for the National Drug Intelligence Center, located in Murtha's district and regarded by the Bush administration as duplicative of other agencies.

Thanks to reforms for which Pelosi can take credit, Murtha's name appeared next to that item in the intelligence authorization bill. Over time, reformers hope that such transparency will deter members of Congress in both parties from inserting earmarks. But Murtha wasn't deterred, and the survival of his hometown earmark is a reminder that disclosure, while valuable, isn't a panacea for pork-barrel politics.



## **TALKING POINTS: IMMIGRATION** *Border Security, No Amnesty, Employer Enforcement*

**Porous borders pose a grave threat to our national security and to the economic stability of cities and towns across America.** Until we secure the border and effectively enforce the immigration laws on the books, illegal immigration will continue running rampant.

- **Heritage Foundation:** “America's immigration system must be a national strength and not a strategic vulnerability... An uncontrolled immigration system encourages the circumvention of immigration laws and is a clear invitation to those who wish to take advantage of our openness to cause this nation harm.” (5/10/07)
- **Congressional Research Service:** “According to the [9/11] Commission, up to 15 of the hijackers could have been intercepted or deported through more diligent enforcement of immigration laws.” (CRS Report RL32616, 10/18/2007)
- **Associated Press:** “Mexican druglords are taking over the business of smuggling migrants into the United States, using them as human decoys to divert authorities from billions of dollars in cocaine shipments across the same border.” (AP 5/01/2007)

**Blanket amnesty is not the answer. Amnesty rewards illegal behavior and passes on huge public costs to the American people, who are already struggling with taxes, record gas prices, and rising tuition costs.**

- **National Review:** “At a cost of \$22,449 per household per year -- well, multiply that by an adult lifespan of 50 years and you have an average lifetime cost to the taxpayer of \$1.1 million per unskilled worker. Increase that population with a wave of unskilled immigrants, and you're talking a lot of money.” (4/10/07)
- **Washington Times Editorial:** “Over the course of their lifetimes, these people will utilize \$2.5 trillion more in government services than they will pay in taxes.” (5/21/07)

**Tackling illegal immigration requires enforcement.** Employers who break the law by employing illegal workers must be held accountable. We must also provide businesses with the ability to simply and effectively verify the immigration status of employees.

- **The Economist:** “In 2004 the total number of employers fined \$5,000 or more for [employing illegals] was zero – not much of a deterrent.” (4/14/2007)
- **National Review:** “From 2002 through 2004, worksite arrests catered from a paltry high of 485 (compared to 17,554 in 1997) to an incredible 159. Yes, that's 159 aliens out of an illegal immigrant population so large it cannot precisely be fixed between expert estimates of 11 and 20 million -- meaning, if you were an illegal-alien, you'd have about as good a chance of winning the lottery as being arrested for working in violation of the immigration laws.” (3/05/07)

## TALKING POINTS: IMMIGRATION

### *Temporary Worker Program*

**Legal immigrants are a fundamental part of the fabric of our nation because the United States has always served as a beacon of freedom, hope, and economic opportunity. This must not change.**

- **Immigrants built this country.** They have built our communities big and small. They came at great personal risk and suffered through a difficult, and often unfair, immigration system from the days of Ellis Island through now. They have fought and died in America's wars. Immigrants and the children of immigrants have held our highest public offices.
- **"E Pluribus Unum."** That's the Latin motto of the United States – it means "From Many, One." We must encourage immigrants to assimilate into one America – united in our common values and culture – as generation after generation of immigrants have done since the founding. It is the bedrock of America's strength.

**A no-amnesty, temporary worker program will meet the demands of the U.S. economy and encourage the best and brightest minds to come to America.**

- **"Former Federal Reserve Chairman Alan Greenspan** said allowing more skilled immigrants to work in the U.S. would help keep the income gap from widening." (Bloomberg, 3/13/07)
- **CATO Institute:** "The biggest flaw in our current immigration system is its lack of a sufficient legal channel for low-skilled immigrants who are crucial to filling that gap between demand and supply on the lower rungs of the labor ladder." (Daniel Griswold 3/20/2007)
- **The Economist:** "America also needs to realize what will happen if the immigrants stop coming....New York could be eclipsed by London as the world's financial hub. (3/24/07)
- **"A realistic guest worker program would make sense for the U.S. economy and the needs of post-9/11 security"** (Editorial, Wall Street Journal, 5/02/07)

**America's immigration system is broken. The American people deserve a system that enhances our national security and promotes our economy.**

- **"Washington Post Editorial:** The FBI admits that 100,000 background checks have sat uncompleted for a year or longer." (1/20/07)
- "Few people on either side of the immigration debate are happy with the status quo. Today an estimated 12 million foreign-born people live in the United States without authorization, with the number growing by half a million each year." (Orlando Sentinel Op-Ed, 5/22/07)

## *Washington Post*

### **A Bill That Earned Its Doubters**

By George F. Will  
Thursday, May 24, 2007

Compromise is incessantly praised, and it has produced the proposed immigration legislation. But compromise is the mother of complexity, which, regarding immigration, virtually guarantees -- as the public understands -- weak enforcement and noncompliance.

Although the compromise was announced the day the Census Bureau reported that there now are 100 million nonwhites in America, Americans are skeptical about the legislation, but not because they have suddenly succumbed to nativism. Rather, the public has slowly come to the conclusion that the government cannot be trusted to mean what it says about immigration.

In 1986, when there probably were 3 million to 5 million illegal immigrants, Americans accepted an amnesty because they were promised that border control would promptly follow. Today the 12 million illegal immigrants, 60 percent of whom have been here five or more years, are as numerous as Pennsylvanians; 44 states have populations smaller than 12 million. Deporting the 12 million would require police resources and methods from which the nation would rightly flinch. So, why not leave bad enough alone?

Concentrate on border control and on workplace enforcement facilitated by a biometric identification card issued to immigrants who are or will arrive here legally. Treat the problem of the 12 million with benign neglect. Their children born here are American citizens; the parents of these children will pass away.

Under current immigration policies, America is importing another underclass, one "with the potential to expand indefinitely," according to Heather Mac Donald of the Manhattan Institute for Policy Research. To sentimentalists who cling to "the myth of the redeeming power of Hispanic family values, the Hispanic work ethic, and Hispanic virtue," she says:

From 1990 to 2004, Hispanics accounted for 92 percent of the increase in poor people. Only 53 percent of Hispanics earn high school diplomas, the lowest among American ethnic groups. Half of all children born to Hispanic Americans in 2005 were born out of wedlock -- a reliable predictor of social pathologies.

The legislation supposedly would shift policy from emphasizing family unification to emphasizing economic criteria (skills) when setting eligibility for immigrants. Critics say this will sunder families. But the sundering has happened; it was done by illegal immigrants who left family members behind and are free to reunite with their families where they left them.

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Anyway, the supposed shift from emphasizing family relations -- the emphasis that results in "chain migration" -- to economic merit may be diluted to nothingness. It is highly suspicious that there was a rush -- fortunately stymied -- to pass this legislation through both houses and get it to conference, where the majority of participants will be Democrats eager to court Hispanic votes.

Some Democrats argue that liberalism's teetering achievement, the welfare state, requires liberal immigration policies. The argument is: Today there are only 3.3 workers for every retiree. In January, the first of 77 million baby boomers begin to retire. By the time they have retired, in 2030, there will be 2.2 workers for every retiree -- but only if the workforce is replenished by 900,000 immigrants a year.

On Monday, however, Robert Rector of the Heritage Foundation stunned some senators who heard his argument that continuing, under family-based immigration, to import a low-skilled population will cost the welfare state far more than the immigrants' contributions to the economy and government. He argued that low-skilled immigrants are costly to the welfare state at every point in their life cycle and are very costly when elderly. Just the 9 million to 10 million adults already here illegally will, if given amnesty, cost an average of \$300,000 -- cumulatively, more than \$2.5 *trillion*-- in various entitlements (Social Security, food stamps, Medicaid, housing, etc.) over 30 years.

To those who say border control is impossible -- often these are the same people who said better policing could not substantially reduce crime, until it did -- one answer is: It took just 34 months for the Manhattan Project to progress from the creation of the town of Oak Ridge in the Tennessee wilderness to the atomic explosion at Alamogordo, N.M. That is what America accomplishes when it is serious.

In an attempt to anesthetize people who sensibly say "border control and workplace enforcement first," important provisions of the legislation would supposedly be "triggered" only when control of the border is "certified" by the president. But in what looks like a parody of the Washington mentality, certification would be triggered not by border control but by the hiring of border control agents and other spending. So, the supposedly hardheaded aspects of the legislation actually rest on the delusion that spending equals the achievement of the intention behind the spending. By that assumption, we have long since tranquilized and democratized Iraq.

**Washington Post**

**The GOP's Battle on the Border**

By [Robert D. Novak](#)  
Thursday, May 24, 2007

Republican Sens. [Lindsey Graham](#) of South Carolina and [Saxby Chambliss](#) of Georgia were booed at their respective state party conventions Sunday for supporting a [compromise](#) immigration bill. Their specific sin was collaborating with the liberal lion of the Senate, Edward M. Kennedy. But behind the catcalls was Republican rage over undocumented foreigners, a sentiment GOP lawmakers must appease if they want to avoid dire consequences.

Why are the party faithful throughout the country so incensed by immigration? When I asked Graham, he quoted from a federal government report on the new arrivals to this country, "largely unskilled laborers" and heavily illiterate: "The new immigration has provoked a widespread feeling of apprehension as to its effect on the economic and social welfare of the country." The report, by the U.S. Immigration Commission, was dated 1911.

When Graham returned to Washington on Monday as the [immigration debate](#) began, he read the 96-year-old quote into the Senate record to demonstrate that fear of foreigners is not new for Americans. This nation of immigrants has greeted successive waves of newcomers with apprehension stoked by demagogues. It has overcome such past xenophobic impulses. But that will be more difficult in an era of Internet bloggers and radio talkers, with the Republican Party in trouble and seeking a unifying issue at the grass roots and with the Democratic Party sensing its adversary's weakness and moving in for the kill.

Graham and Chambliss, both up for reelection next year, were unprepared for the hostility they encountered at their state party conventions. In Columbia, S.C., delegates erupted in boos when Graham mentioned Teddy Kennedy's name. Chambliss's apparent proximity to Kennedy in a photograph evoked booing in Duluth, Ga. Unaccustomed to such treatment, Chambliss expressed his resentment to Senate colleagues back in Washington. Graham was not happy with his junior South Carolina colleague, Sen. [Jim DeMint](#), for playing to the convention crowd with anti-immigration oratory.

Nor was Graham happy with the performance in Columbia by DeMint's candidate for president, [Mitt Romney](#). The former governor of Massachusetts won cheers by claiming the Senate compromise constitutes "amnesty" -- the word guaranteed to rouse Republican audiences. Only two years ago, Romney supported a less restrictive bill passed by the Senate on the grounds that it did not constitute "amnesty." Sen. [John McCain](#), who supports the Senate compromise and is Graham's choice for president, said Monday: "Maybe I should wait a few weeks and see if [Romney's position] changes."

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Nobody can testify better than Rep. [Mike Pence](#) (Ind.), a nationally renowned conservative, about how dangerous this issue is for a Republican. In 2006, Pence brought a cascade of abuse on himself for proposing an immigration compromise. He held his ground, recalling his Irish immigrant grandfather. But last week, he rejected the new Senate compromise as "amnesty," although it resembles his own plan.

Many Republicans reach for an anti-immigration lifeline because of the party's plight. Burdened with an unpopular president and an unpopular war, the GOP cannot claim to be the party of limited government and controlled spending. But immigrant-bashing divides rather than unites Republicans, as the South Carolina and Georgia conventions showed. In a recent closed-door meeting of the House's conservative Republican Study Committee, Rep. [Bob Inglis](#) (S.C.) raised the danger of resembling South Africa's National Party advocating apartheid.

Republican Sen. [Jeff Sessions](#), while probing for the compromise's weak spots in Senate debate Tuesday, warned of "cultural" change resulting from a flood of low-income immigrants. That recalls the 1911 report of the U.S. Immigration Commission (headed by an old-fashioned Republican conservative, Sen. William P. Dillingham of Vermont) asserting that the "proportion of the more serious crimes of homicide, blackmail and robbery . . . is greater among the foreign born," who also refuse to learn the English language.

In reading part of Dillingham's report into the Senate record, Graham declared that these immigrants who were "ruining America" fathered the "greatest generation." That immigrant wave included my grandfather, a Russian Imperial Army veteran working on the John Deere tractor assembly line in Moline, Ill., as an unskilled, undocumented alien who could not speak English. Refuting Dillingham, he was an American patriot proud of a son who fought with the U.S. infantry through Africa and Italy in World War II.

**Immigration Material:**  
House Republican Judiciary Committee

*Courtesy of Ranking Members Lamar Smith & Peter King*

### **Ranking Members Smith, King Condemn Senate Amnesty Deal**

FOR IMMEDIATE RELEASE: May 17, 2007

CONTACT: Beth McGinn (Smith) 202-225-6906

Chad Scarborough (King) 202-225-4077

Washington, D.C. - Judiciary Committee Ranking Member Lamar Smith (R-TX) and Committee on Homeland Security Ranking Member Peter T. King (R-NY) released the following statements on the Senate's ill-conceived proposal to provide amnesty for millions of illegal immigrants:

Ranking Member Smith: "This proposal would do lasting damage to the country, American workers, and the rule of law. Amnesty puts lawbreakers ahead of those who are law-abiding, puts foreign workers ahead of American workers, and encourages even more illegal immigration. The American people aren't demanding amnesty, they are demanding border security. We need border security, but we don't need amnesty to secure the border. Just because someone is in the country illegally doesn't mean we have to give them citizenship, the greatest honor our country can bestow. Some want to sell citizenship to lawbreakers for the price of a fine. Amnesty treats illegal immigrants better than those who play by the rules and come in the right way."

Ranking Member King: "As the Fort Dix terror plot demonstrated last week, illegal immigration is clearly a homeland security issue. Granting amnesty would reward lawbreakers and legalize scores of criminals and terror suspects that are currently here illegally, making it that much easier for them to operate within our society undetected. In reality, the Senate's amnesty proposal will only serve to weaken the security of our homeland, and I strongly oppose the measure. A country which cannot control its borders loses control of its destiny."

###



*Courtesy of House Republican Judiciary Committee*

## **The Senate Amnesty Bill At A Glance**

- The Senate bill is an immediate amnesty since almost all of the estimated 12 million illegal immigrants currently living in the United States will get “probationary” status immediately after enactment.
- Amnesty advocates claim that since illegal immigrants will not receive “automatic” citizenship, there is no amnesty. America has granted “automatic” citizenship only five times in our nation’s history – to international friends of the United States after they were dead. The last time the U.S. granted “automatic” citizenship was five years ago when we honored the Marquis de Lafayette, the great French hero of our Revolutionary War. No one who goes through the legal immigration process ever receives “automatic” citizenship.
- The bill’s “triggers” are basically meaningless since amnesty occurs regardless of whether the triggers are pulled and most of the triggers either are already in place or authorized by current law. For instance, Immigration and Customs Enforcement already has 27,500 detention beds, DHS is on schedule to have 18,000 Border Patrol agents in the next two years (they currently have almost 15,000 agents) and DHS is already required by law to build over 700 miles of fencing along the border (the 370 miles required by this “trigger” is a cut). The trigger does not require true border security.
- The Department of Homeland Security is already severely burdened by its existing functions. How is it going to safely and effectively manage an amnesty program for millions of “Z” visa holders, a temporary worker program for hundreds of thousands of “Y” visas holders each year, and all of the other requirements placed on them by this bill?
- The bill rewards people for breaking the law. Those who entered illegally immediately get a legal work permit, entitling them to a job -- exactly what they broke the law to obtain. Only after the triggers are met do they incur any penalty and then it is only a \$1000 fine.
- The bill fails to address national security concerns. Illegal immigrants who receive “probationary” status must consent to a background check, but that check must be finished in one day. If it is not finished, DHS must give the illegal immigrant probationary status anyway.
- Contrary to claims by the bill’s authors, the bill does not end chain migration. In fact, for most of the next two decades, the bill will increase extended-family chain migration. Currently, chain migration accounts for about 112,000 green cards a year. The bill will increase that number to 440,000 a year, four times as many.
- The Senate amnesty bill is worse than last year’s Senate-passed bill. It allows nearly all illegal immigrants currently in the United States to stay and work on “Z” visa status

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without first going home, but in last year's bill only the illegal immigrants who had been in the country for five years were eligible to stay and work without first going home.

- The Senate amnesty bill does require that a "Z" visa holder remain in that status for several years before they can adjust to lawful permanent resident status. But even legal immigrants have to wait five years before they can apply for citizenship, and of course any future Democratic Administration can shorten the waiting period.
- The Senate amnesty bill will produce the same massive fraud that resulted from the 1986 amnesty bill. The Senate bill allows illegal immigrants who seek "Z" visa status to show bank records, "remittance records" and even sworn affidavits to show eligibility for "Z" visa status. This will only strengthen the already booming industry for fraudulent documents. In addition, the Secretary of Homeland Security has the ability to alter the document requirements in any way they like.
- The Senate amnesty bill does not require "Z" visa holders (in probationary or actual "Z" status) to pay back taxes owed for the time they worked illegally in the United States.
- The Senate amnesty bill includes only a touchback to adjust immigration status to lawful permanent residence. The touchback is purportedly fulfilled when the "Z" visa holder (but not their spouse, parents or children) apply for adjustment of status "at a consular office in the alien's country of origin." However not even this touchback to the country of origin is required for everyone since the bill specifically allows consular offices to accept "Z" visa applications from applicants who are not from the country in which the consular office is located. A few hours in Mexico will satisfy the touchback for every "Z" visa holder (current immigration law provides that illegal immigrants cannot return to the U.S. for ten years if they have been here illegally for over a year).
- The Senate amnesty bill requires "Z" visa holders to learn English only after eight years in the country. Prior to that, the bill only requires that upon application for the first "extension" the "Z" visa holder "attempt to gain an understanding of the English language." That "attempt" is shown by "taking" (not passing) the naturalization test and being placed "on a waiting list for English classes" (not actually taking the class).
- The Senate amnesty bill is specifically designed to allow the overwhelming majority of illegal immigrants to legally live and work in the U.S. from day one and eventually to become permanent residents and then citizens. This is amnesty. Amnesty occurs when an illegal immigrant is not deported as required by law, but is legalized and allowed to stay. Amnesty rewards lawbreakers with the objective of their crime, and it grants them benefits we withhold from those who have played by the rules and are waiting their turn.

*Courtesy of House Republican Judiciary Committee*

## **The Senate Amnesty Bill**

### ***A Sufficient “Trigger”? Not Even Close***

- The Senate amnesty bill “triggers” don’t delay the amnesty. Virtually all illegal immigrants who haven’t been convicted of three or more misdemeanors or a felony will be granted legal status and a work permit on the day they file for a “Z” visa. This is just like the 1986 bill -- amnesty first and enforcement maybe never. (Section 1).
- The Senate amnesty bill “triggers” don’t even require the miles of border fence that Congress required in a bill President Bush signed last October. “The Secure Fence Act” requires over 700 miles of border fence, so the 370 miles required by the Senate bill trigger is a cut. (Section 1).
- The Senate amnesty bill “triggers” require only that the Secretary of Homeland Security submit a written certification that the trigger elements are “funded, in place and in operation” but not that they are effective in controlling the border and preventing further illegal immigration. (Section 1).
- The Senate amnesty bill “triggers” call for 18,000 Border Patrol Agents to be hired. But because we currently have almost 15,000 agents and the “Intelligence Reform and Terrorism Prevention Act of 2004” required 2,000 new Border Patrol Agents each year through 2010, we are already on track to have that many in two years. (Section 1).
- The Senate amnesty bill “triggers” require U.S. Immigration and Customs Enforcement (ICE) to have the resources to “detain up to 27,500 aliens per day.” ICE already has this capacity – the FY 2008 ICE Budget request for funding for a total of 28,100 beds which ICE states is 600 more beds than in FY 2007, proves that 27,500 beds is nothing new. The 27,500 beds are also far less than the 43,000 detention beds required to be in use by the end of FY 2007 by the “Intelligence Reform and Terrorism Prevention Act of 2004.” (Section 1).
- The Senate amnesty bill “triggers” don’t require that the exit portion of the U.S.-VISIT entry-exit system be operational before the foreign worker program and the “Z” visa amnesty begin. Without an exit system, we have no way of knowing who is in the country or if they leave – that knowledge is essential to border security and any foreign worker program.
- The Senate amnesty bill “triggers” require only that DHS have the “tools” to conduct worksite enforcement, including identification standards and an employment eligibility verification system. They do not require that DHS use these tools to prevent illegal immigrants from obtaining jobs.

*Courtesy of House Republican Judiciary Committee*

### **Mass Amnesty? Definitely**

- The Senate amnesty bill is worse than last year's Senate-passed bill. It allows nearly all illegal immigrants currently in the United States to stay and work on "Z" visa status without first going home, but in last year's bill only the illegal immigrants who had been in the country for five years were eligible to stay and work without first going home.
- The Senate amnesty bill grants an almost guaranteed path to U.S. citizenship for the estimated 12 million illegal immigrants currently residing in the United States. The illegal immigrant, their spouse, parents over the age of 65 and children get immediate "Z" visa "probationary benefits" which allow them to stay in the United States and work. (Section 601).
- The Senate amnesty bill fails to address national security concerns. Illegal immigrants who receive "Z" visa probationary benefits must consent to a "background check," but that check must be finished in one day. If it is not finished, DHS must give the illegal immigrant probationary status anyway. (Section 601).
- The Senate amnesty bill's proponents claim that since illegal immigrants will not receive "automatic" citizenship, there is no amnesty. America has granted "automatic" citizenship only five times in our nation's history – to international friends of the United States after they were dead. The last time the U.S. granted "automatic" citizenship was five years ago when we honored the Marquis de Lafayette, the great French hero of our Revolutionary War. No one who goes through the legal immigration process ever receives "automatic" citizenship. They first receive permanent residence and then have to meet additional tests before they can become citizens. For instance, they have to wait for a period of years and go through a background check and may have to show they know English and U.S. civics.
- The Senate amnesty bill does require that a "Z" visa holder remain in "Z" status for several years before they can adjust to lawful permanent resident status. But even legal immigrants have to wait five years before they can apply for citizenship, and of course any future Democratic Administration can shorten the waiting period.
- The Senate amnesty bill allows "Z" visa holders to stay indefinitely in "Z" status so they can enjoy all of the benefits of living and working in the United States without paying the bill's required \$4,000 penalty to move toward lawful permanent residence. (Sections 601, 602).
- The Senate amnesty bill requires "Z" visa holders to learn English only after eight years in the country. Prior to that, the bill only requires that upon application for the first "extension" the "Z" visa holder "attempt to gain an understanding of the English language." That "attempt" is shown by "taking" (not passing) the naturalization test and being placed "on a waiting list for English classes" (not actually taking the class). (Section 601).

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- The Senate amnesty bill includes only a touchback in order to adjust immigration status to lawful permanent residence. The touchback is purportedly fulfilled when the “Z” visa holder (but not their spouse, parents or children) apply for adjustment of status “at a consular office in the alien’s country of origin.” However not even this touchback to the country of origin is required for everyone since the bill specifically allows consular offices to accept “Z” visa applications from applicants who are not from the country in which the consular office is located. A few hours in Mexico will satisfy the touchback for every “Z” visa holder (current immigration law provides that illegal immigrants cannot return to the U.S. for ten years if they have been here illegally for over a year). (Section 602).
- The Senate amnesty bill does not require “Z” visa holders (in probationary or actual “Z” status) to pay back taxes owed for the time they worked illegally in the United States. (Section 602).
- The Senate amnesty bill requires the federal government to give “Z” visa holders (even those on probationary status) a valid U.S. Social Security number. They will begin earning Social Security benefits for their work once they get probationary status – even if they are ultimately denied a “Z” visa. (Section 606).
- The Senate amnesty bill provides an incentive for additional mass illegal immigration. It authorizes the DHS Secretary to keep the “Z” visa application period open for as long as two years, giving would-be illegal immigrants plenty of time to come here illegally and giving those already here plenty of time to sneak their families into the country.
- The Senate amnesty bill will produce the same massive fraud that resulted from the 1986 amnesty bill. The Senate bill allows illegal immigrants who seek “Z” visa status to show bank records, “remittance records” and even sworn affidavits to show eligibility for “Z” visa status. This will only strengthen the already booming industry for fraudulent documents. In addition, the Secretary of Homeland Security has the ability to alter the document requirements in any way they like. (Section 602).
- The Senate amnesty bill also gives illegal immigrants other options to apply for amnesty including the DREAM Act (Title VI, subtitle B) and the AgJobs Act. (Title VI, subtitle C).

*Courtesy of House Republican Judiciary Committee*

## **Millions of New Foreign Workers? Definitely**

- The Senate amnesty bill allows 400,000 new “Y” visa holders to work temporarily in the United States during the first year of the temporary worker program. For each subsequent year there can be up to 600,000 “Y” visa temporary workers. (Section 409). Temporary workers lower wages and take jobs away from American workers. All credible studies show that low-skilled American workers’ wages are reduced by low-skilled immigrants. One study estimated immigration has reduced the wages of low-skilled Americans by “\$1,915 per year.” Harvard economist George Borjas estimates that immigration has caused 40 percent of the decline in real wages among African-Americans in the United States.
- The Senate amnesty bill specifically allows employers to lay off American workers and replace them with “Y” non-immigrant workers as long as they lay off the Americans more than 90 days before or after they file the petitions for the foreign workers. (Section 403).

## **Tough Enforcement? No Way**

- The Senate amnesty bill claims to have tough criminal penalties to crack down on gang violence. However the bill has the opposite effect. It imposes significant obstacles to removing dangerous alien gang members from the country and barring entry of dangerous alien gang members to the country. The bill narrows the definition of “criminal gang” so that many smaller gangs are excluded and also requires the government to prove a bad intent on the part of an alien-gang member in order to remove them. (Sec 205).
- The Senate amnesty bill is not tough on passport fraud and misuse. It actually weakens existing criminal laws prohibiting passport fraud and misuse by eliminating increased punishments for violations intended to facilitate terrorist acts, drug trafficking and other serious crimes. (Section 208).
- The Senate amnesty bill is not tough on illegal reentry. The bill actually reduces existing punishments for illegal reentry by convicted aliens from a maximum of 10 years to two years imprisonment, when they have been convicted of three misdemeanor offenses or a felony for which they served less than five years in prison. (Section 207).
- The Senate amnesty bill does not make engaging in terrorist activity a bar to the “good moral character” required to obtain immigration benefits. Thus a terrorist could get a “Z” visa and other immigration benefits.

*Courtesy of House Republican Judiciary Committee*

## **Tough Electronic Employment Eligibility Verification? Hardly**

- The Senate amnesty bill uses 40 pages to set forth requirements and procedures for use of the Employment Eligibility Verification System, but then gives the DHS Secretary and the Social Security Administrator the authority to change the entire system through publication of the changes in the Federal Register. (Section 302).
- The Senate amnesty bill requires that workers have the right of administrative and judicial review over a “final nonconfirmation” of employment eligibility. During that administrative and judicial review, the employer cannot fire the employee. While the Administrative review is required to be finished in 30 days and the worker has 30 days from that time to file for judicial review with the U.S. Court of Appeals, the judicial review time period is not defined, so an illegal immigrant worker who files a frivolous appeal could stay employed for months, and even years, if the Court does not hear their case right away. (Section 302).

## **Dramatic Increase in Illegal Immigration? Yes**

- The Senate amnesty bill claims to end chain migration, but for most of the next two decades, the bill will increase extended-family chain migration. Currently, chain migration accounts for about 112,000 green cards a year. The bill increases that number to 440,000 a year -- four times as many -- until such time as everyone in the chain-migration backlog who submitted petitions before May 1, 2005 receives a greencard. However, with an estimated eight million aliens in the backlog (including an estimated number of spouses and minor children), it will take 18 years to clear the backlog. That is 18 years of vastly increased chain migration. Even after the 18 years, prospective immigrants will get “points” for extended family relationships to U.S. citizens and permanent residents. So, chain migration will never go away. (Section 501).

*Courtesy of House Republican Judiciary Committee*

### **Why Democrats Want Comprehensive Immigration Reform**

“Somehow,” said a Democrat lawmaker who is trying to build Republican support, “we have to convince them that voting for comprehensive reform does not amount to 'enfranchising their defeat,’” a reference to the likelihood that two of every three new Latino voters would cast Democratic ballots. **“Our problem,” he admitted, “is that we are hoping that the legislation will build the Democratic electorate.”** (National Journal, 2/10/07)

Democratic leaders say Republican backing is critical, both to ensure passage of a bill in the Senate and to **protect newly elected moderate and conservative Democrats in the House**, some of whom campaigned against legalizing illegal immigrants. (New York Times, 3/23/07)

“As the number of legal Hispanics increases, **the number of Democratic votes increases as well.**” (Democratic “insider”, National Journal, 4/14/07)

**“Taking immigration off the table as a red-meat issue for conservative Republicans would be very helpful** in a presidential year . . . .” (Democratic “insider”, National Journal, 4/14/07)

**Top Democratic leaders and activists see Hispanic migration as a long-term opportunity for the party.** The arrival of additional immigrant workers is “bad for blue-collars,” Rep. Barney Frank, D-Mass., chairman of the House Financial Services Committee, told National Journal late last year. **But immigrants can help elect Democratic majorities**, and “if [a Democratic Congress] were to significantly strengthen unions, then you would offset the negative effect on the income of workers,” he said. (National Journal, 5/12/07)

## **Amnesty**

### **Black’s Law Dictionary:**

“a pardon extended by the government to a group or class of persons . . . the 1986 Immigration Reform and Control Act provided amnesty for undocumented aliens already present in the country.”

### **A common sense definition:**

“Amnesty occurs when an illegal immigrant, instead of being deported as required by law, is legalized and allowed to stay.”



**Immigration Material:**  
Senator Kyl

*Courtesy of Senator Kyl*

## **Republican Contributions to Immigration Bill Cause Heartburn on the Left**

*"Liberals ... are unhappy with the proposal because it makes a far-reaching change in the immigration system that would admit future arrivals seeking to put down roots in the U.S. based on their skills, education levels and job experience - limiting the importance of family ties." [AP, Kennedy Defends Immigration Bill, May 18, 2007]*

- "Without a real path to legalization, the program will exclude millions of workers and thus ensure that America will have two classes of workers, only one of which can exercise workplace rights." *John J. Sweeney, President, AFL-CIO*
- "It is not an understatement to say this is an incredibly radical change. It has been the basis of the immigration system. It is not a small matter to dismantle that. It hadn't been the subject of the bill because that element was added by the White House in a back room." *Cecilia Munoz, chief lobbyist for the National Council of La Raza*
- "The Senate immigration reform compromise is unacceptable. Family reunification has been the cornerstone of our nation's immigration policy since 1965, when the U.S. government replaced discriminatory quotas that excluded Asian immigration for generations." *Asian American Legal Defense and Education Fund (AALDEF)*.
- "We say no to this deal. We already know that there are provisions that are completely unacceptable." *Chung-Wha Hong, executive director of the New York Immigration Coalition*
- "The deal, as announced, would eviscerate family-based immigration, institute a radically new, untested 'merit' system, provide inadequate numbers of green cards, and preclude a meaningful path to permanent residence for new temporary workers." *American Immigration Lawyers Assoc.*
- "Immigrant Rights Groups Condemn New Senate Proposal to Overhaul Nation's Immigration Laws" *DemocracyNow.org press release*
- "We find the elimination of the family immigration system, the creation of a new temporary worker program that would create a permanent underclass of workers with few rights and no ability to become citizens, and the limitations on due process to be anti-family, anti-worker and fundamentally un-American." *Colorado Immigrant Rights Coalition*
- "U.S. Senator Byron Dorgan (D-ND) said Thursday he will offer an amendment to strike the guest worker provision that apparently will be included in the immigration legislation announced earlier in the day. The provision says the number of guest worker visas each year would be limited to 400,000, but that cap would be increased depending on

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demand.” *U.S. Senator Byron Dorgan, Press Release* (\*On May 21, more than half of Senate Democrats voted for this amendment.)

- “It’s [the bill’s guest worker program] also disruptive of families. You know, we’re about families and family values and having people coming and going, taking their children out of school or being separated from them...We should try to fashion something that recognizes the reality of life...I have serious objection to the point system that is in the bill now.” *Nancy Pelosi on ABC News’ “This Week”*
- “Without modifications, the proposed bill could devalue the importance of family reunification, replace the current group of undocumented immigrants with a new undocumented population consisting of guestworkers who will overstay their visas, and potentially drive down wages of American workers. We may need a new worker visa to bring in people at all levels of our economy, but these workers should not be forced out of our country or into hiding after two or three years if they prove themselves worthy of an opportunity to stay and join the American family.” *Sen. Barack Obama, Press Release*

*Courtesy of Senator Kyl*

### **Border Security and Immigration Reform** *Republicans Fight for Tougher Enforcement and an Immigration System That Better Serves American Interests*

The Senate immigration bill features a number of Republican priorities. If Republicans had not fought for these provisions, Democrats would have passed an automatic amnesty bill without any of the improvements and restrictions that Republican involvement has now guaranteed.

- √ **Beefed-up border security.** Republicans are insisting on dramatic and immediate improvements to border security, including 18,000 Border Patrol agents and 370 miles of fencing, as part of a continuous effort to protect the borders.
  - Republicans insist that border security improvements must be completed before other reforms can occur. *Democrats blocked any “triggers” in last year’s bill.*
- √ **Enforcement at the workplace.** Republicans are insisting on a meaningful, effective, and workable electronic employment verification system that will prevent employers from hiring illegal workers and eliminate the “magnet” that attracts so many illegal aliens.
  - This verification system must be fully operational before other reforms occur (another “trigger”), *a position Democrats rejected last year and resisted in negotiations.*
- √ **Merit-based future immigration system and end to “chain migration.”** Republicans are insisting on eliminating future “chain migration” and transforming our immigration system so that all future efforts are focused on attracting those immigrants (and their immediate, nuclear families) who have the combination of job skills, education, and English language proficiency that will make them productive Americans.
  - *Many members of the Democrat majority have resisted any effort to ensure that our immigration system be rebalanced to serve national needs.*
- √ **A truly temporary worker program.** Republicans insist that a temporary worker program be for a limited period of time and not serve as a path to citizenship. Temporary workers must truly be temporary.
  - *The Democrat majority continues to resist this approach, seeking to let “temporary” workers stay in the United States indefinitely and become permanent residents without going home. On May 21, more than half of Senate Democrats voted for a Dorgan amendment to strike the temporary worker program from the bill.*
- √ **Limits on processing of illegal aliens.** Majority-party Democrats made legalization of illegal aliens a non-negotiable priority, but ***Republicans refused to allow automatic amnesty or a guaranteed path to citizenship for illegal aliens.*** Republicans insist that all green card applicants must (1) wait for the backlog of legal applications to be cleared first, (2) pay higher fines than in last year’s bill, (3) pass a criminal background check, and (4) show a nearly perfect work history, English proficiency, and familiarity with American civics. ***If they cannot do so, they will be subject to removal.*** Republicans also insist that access to permanent status be prioritized based on immigrants’ job skills, education, and English proficiency.
  - Due to Republican efforts, illegal aliens will not gain an automatic right to stay in this country indefinitely.

*Courtesy of Senator Kyl*

## **Highlights of the Secure Borders, Economic Opportunity, and Immigration Enforcement Act of 2007**

### **Border Security**

The bill contains new border security and workplace-enforcement benchmarks that must be satisfied before any temporary worker program can go in to effect or before any Z visa can be issued (see below). Those benchmarks include:

- 18,000 border patrol and immigration enforcement agents must be hired.
- 370 miles of border fencing must be built.
- 200 miles of vehicle barriers must be completed.
- 70 ground-based radar and camera towers on the southern border must be operational.
- 4 Unmanned Aerial Vehicles must be deployed.
- 27,500 detention beds must be available so that apprehended aliens can be detained.

### **Workplace Enforcement through an Electronic Employment Verification System**

Employers will be required to verify the work eligibility of all employees using an electronic employment eligibility verification system. This system will be coordinated with the Department of Homeland Security (“DHS”) and the 50 states and will enable an employer to quickly verify that new employees are legally authorized to work in this country. The DHS will be able to share information with the Social Security Administration to prevent the illegal use of others’ social security numbers.

The bill includes tough sanctions on employers who continue to hire illegal aliens, including fines of \$5,000 per illegal worker for a first offense, and up to \$75,000 per illegal worker for multiple offenses. When fully implemented (estimated to be 18 months), no illegal alien should be able to gain legitimate employment in the United States. This new verification system must be fully operational before the temporary worker program can go into effect or before any Z visa can be issued (see below).

### **Merit-Based Future Immigration System and End to “Chain Migration”**

The bill would create a new merit-based “point” system to select future immigrants based on skills, education, and other attributes that further our national interests including: ability to speak English; level of schooling, including added points for training in science, math, and technology; job offer in a specialty or high-demand field; employer endorsement; and family ties to the U.S. Each year, those with the most points will be given green cards, and will be able to bring only their immediate, nuclear families.

To ensure the integrity of this new merit-based immigration system, the current system of “chain migration” will end. Currently, nearly two-thirds of green cards are awarded to relatives of U.S. citizens. Future immigrants will be able to bring their spouses and minor children (with a 40,000 annual cap on the number of parents of U.S. citizens who can be migrated), but siblings, cousins, and other extended relatives will be required to qualify on their own through the merit-based “point” system.

There is a significant backlog of current applications for green cards. This bill will ensure that family members who have already applied legally and have lawfully waited their turn in line will receive their green card within 8 years.

### **Truly Temporary Worker Program**

The bill will create a temporary worker program to fill jobs Americans are not doing. To ensure this program is truly "temporary," workers will be limited to three two-year terms, with at least a year spent outside the United States between each term.

U.S. employers seeking temporary workers must advertise the job in the United States at a competitive wage before hiring a foreign worker. Temporary workers will be allowed to bring immediate family members only if they have the financial ability to support them and they are covered by health insurance (although workers with families will be limited to a single two-year term).

The number of temporary workers will be capped at 400,000, but can be adjusted in the future depending on demand and the domestic unemployment situation. A separate seasonal agriculture program will be created within the temporary worker program.

### **Temporary Legalization of Illegal Aliens with No Automatic Path to Citizenship**

The bill will provide an opportunity for legalization for those in the country illegally after January 1, 2007. First, illegal aliens who apply will be given probationary status that is expected to last at least 18 months. Second, after the border security and enforcement benchmarks have been met, those with probationary status who wish to remain will be required to pass a background check, remain employed, maintain a clean criminal record, pay a fine, and receive a counterfeit-proof biometric card to apply for a work visa or "Z visa." That Z visa will be renewable every 4 years, but only if the worker can prove he has been working nearly continuously for the previous 4-year period, that he is proficient in English, and has been educated in American civics.

After at least 8 years in the Z visa category, persons will be eligible to apply for a green card, but only after paying an additional fine; completing accelerated English requirements; and returning to their home country to file their green card application. The processing of green card applications will be prioritized based on merit, and should be completed within 5 years (at least 13 years from now). It will take approximately 5 additional years for a green card holder to become a citizen.

### **Accelerated Assimilation for Immigrants**

The bill will declare that English is the "common language" of the United States and calls on the United States Government to preserve and enhance it, as well as enacting accelerated English requirements for many immigrants. For the existing illegal alien population, they will be not be able to renew their Z visas without learning English. For the future immigrants who must qualify under the merit-based point system, more points will be given depending on the level of proficiency in English.

In addition, the DHS Office of Citizenship will be expanded to include coordinating assimilation efforts in its mission, and the Education Secretary will make an English instruction program freely available over the Internet.

*Courtesy of Senator Kyl*

## **U.S. Immigration Preference System<sup>1</sup>**

- The Immigration and Nationality Act generally provides an annual limit of 675,000 legal permanent residents (LPRs) who can be admitted to the United States annually.
- The annual limit on LPRs, however, is flexible, and certain categories of permanent residents are permitted to exceed the limits.
- The U.S. immigration system is based on preference. Visas are distributed based on either family-sponsored or employment preferences.

### **General Breakdown of Worldwide Limit:**

- Generally, the worldwide annual limit is comprised as follows:
  - 480,000 family-sponsored immigrants, including immediate relatives of U.S. citizens and family-sponsored preference immigrants (plus certain unused employment-based preference numbers from the prior year);
  - 140,000 employment-based preference immigrants (plus certain unused family preference numbers from the prior year);
  - 55,000 diversity immigrants; and
  - Immediate relatives of U.S. citizens, as well as refugees and asylees who are adjusting status, are exempt from direct numerical limits.
    - Immediate relatives include the spouses and unmarried minor children of U.S. citizens and the parents of adult U.S. citizens.

### **Family-Sponsored Preferences:**

- The family-sponsored preference categories are as follows:
  - First — unmarried sons and daughters of U.S. *citizens* and their children
  - Second — spouses, children, and unmarried sons and daughters of *alien* residents
  - Third — married sons and daughters of U.S. citizens and their spouses and children
  - Fourth — brothers and sisters of U.S. citizens (≥ 21 years) and their spouses and children

### **Employment-Based Preferences:**

- The employment-based preference categories are as follows:
  - First — priority workers and their spouses and children
  - Second — professionals with advanced degrees or aliens of exceptional ability and their spouses and children
  - Third — skilled workers, professionals, and unskilled workers and their spouses and children
  - Fourth — special immigrants and their spouses and children
  - Fifth — employment creation (investors) and their spouses and children

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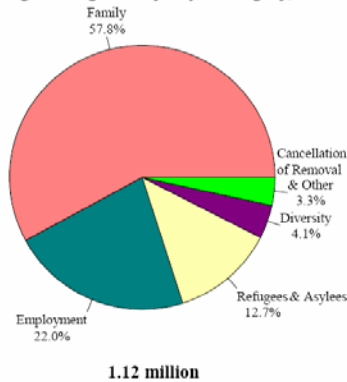
<sup>1</sup> All information in this document can be cited to the Congressional Research Service, “U.S. Immigration Policy on Permanent Admissions,” RL32235, Ruth Ellen Wasem, updated May 9, 2007.

*Courtesy of Senator Kyl*

## Legal Permanent Residents of the United States<sup>2</sup>

- During FY2005, a total of 1,122,373 aliens became legal permanent residents (LPRs) in the United States.
- The largest number of immigrants, 57.8 percent, was admitted because of a family relationship with a U.S. citizen or resident.

Figure 4. Legal Immigrants by Major Category, FY2005



- Immediate relatives of U.S. residents made up the largest group of aliens obtaining LPR status.

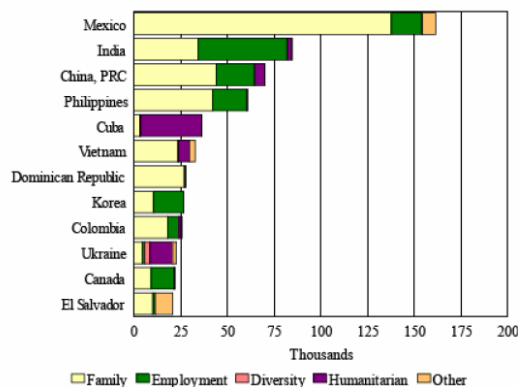
Table 3. FY2005 Immigrants by Category

Total	
Immediate relatives of citizens	436,231
Family preference	212,970
Employment preference	246,878
Refugee and asylee adjustments	142,962
Diversity	46,234
Other	37,098

*Source: Statistical Yearbook of Immigration, FY2005, DHS Office of Immigration Statistics, Dec. 2006. For a more detailed summary of FY2005 immigration by category, see Appendix C.*

- Citizens of Mexico comprised the largest group of any nationality, with 161,445 becoming LPRs in FY2005.

Figure 5. Top Twelve Immigrant-Sending Countries, FY2005



<sup>2</sup> All information in this document can be cited to the Congressional Research Service, "U.S. Immigration Policy on Permanent Admissions," RL32235, Ruth Ellen Wasem, updated May 9, 2007.



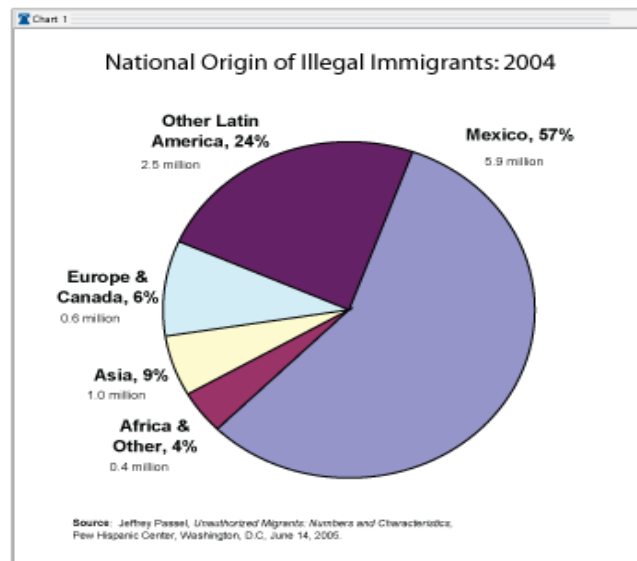
*Courtesy of Senator Kyl*

## Illegal Aliens as a Percentage of the Immigrant Population in the United States<sup>3</sup>

- Between 10 and 12 million illegal aliens currently reside in the United States.
- Illegal aliens comprised one-third of the 36 million foreign-born residents in the United States in 2005. The composition of all 36 million foreign-born residents is as follows:<sup>4</sup>
  - Naturalized citizens — 35 percent
  - Legal non-citizens — 33 percent, and
  - Illegal aliens — 31 percent.
- Illegal aliens now comprise three to four percent of the total U.S. population.
- Of the approximately 1.3 million new immigrants entering the United States each year, about 700,000 are illegal.

### **National Origin of Illegal Immigrants:**

- The vast majority of illegal immigrants in the United States come from Mexico.
  - Nine percent of all Mexicans now reside in the United States.
  - The number of Mexicans in the United States has increased from 760,000 in 1970 to 10.6 million in 2004.
  - Over half of all Mexicans in the United States are illegal immigrants.
  - In the last decade, 80 to 85 percent of all Mexicans coming to the United States have been illegal.



<sup>3</sup> Unless otherwise noted, all information in this document can be cited to The Heritage Foundation, Backgrounder #1936, “Amnesty and Continued Low-Skill Immigration Will Substantially Raise Welfare Costs and Poverty,” Robert Rector, May 12, 2006.

<sup>4</sup> Pew Hispanic Center, Report, “Growing Share of Immigrants Choose Naturalization,” Jeffrey S. Passel, March 28, 2007.

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*Courtesy of Senator Kyl*

## Illegal Alien Population by State<sup>5</sup>

The following chart lists the total number of illegal aliens living in each state in 2005. The chart was created by the Pew Hispanic Center, based on an analysis of data from the Current Population Survey (CPS). The CPS found that there were an estimated 11.1 million illegal aliens living in the United States in March 2005. This chart is based on that total number.

U.S. total 11,100,000 (10,700,000-11,500,000)			
California	2,500,000-2,750,000	Indiana	55,000-85,000
Texas	1,400,000-1,600,000	Iowa	55,000-85,000
Florida	800,000-950,000	Oklahoma	50,000-75,000
New York	550,000-650,000	New Mexico	50,000-75,000
Arizona	400,000-450,000	Kansas	40,000-70,000
Illinois	375,000-425,000	South Carolina	35,000-75,000
Georgia	350,000-450,000	Missouri	35,000-65,000
New Jersey	350,000-425,000	Nebraska	35,000-55,000
North Carolina	300,000-400,000	Kentucky	30,000-60,000
Virginia	250,000-300,000	Alabama	30,000-50,000
Maryland	225,000-275,000	Mississippi	30,000-50,000
Colorado	225,000-275,000	Arkansas	30,000-50,000
Washington	200,000-250,000	Louisiana	25,000-45,000
Massachusetts	150,000-200,000	Idaho	25,000-45,000
Nevada	150,000-200,000	Rhode Island	20,000-40,000
Pennsylvania	125,000-175,000	Hawaii	20,000-35,000
Oregon	125,000-175,000	Delaware	15,000-35,000
Tennessee	100,000-150,000	District of Columbia	15,000-30,000
Michigan	100,000-150,000	New Hampshire	10,000-30,000
Ohio	75,000-150,000	Alaska	<10,000
Wisconsin	75,000-115,000	Wyoming	<10,000
Minnesota	75,000-100,000	South Dakota	<10,000
Utah	75,000-100,000	Maine	<10,000
Connecticut	70,000-100,000	Vermont	<10,000
		North Dakota	<10,000
		Montana	<10,000
		West Virginia	<10,000

Based on March 2005 Current Population Survey

<sup>5</sup> The chart in this document was taken from the Pew Hispanic Center, Fact Sheet, "Estimates of the Unauthorized Migrant Population for States Based on the March 2005 CPS," April 26, 2006.

**Immigration Material:**  
White House

*Courtesy of the White House*

## **Border Security And Immigration Reform**

### ***Administration And Bipartisan Group Of Senators Reach Bipartisan Agreement On Comprehensive Immigration Reform***

**Today, Administration Officials And A Bipartisan Group Of Senators Reached Agreement On Comprehensive Immigration Reform Legislation.** The proposal includes:

- **Putting Border Security And Enforcement First:** Border security and worksite-enforcement benchmarks must be met before other elements of the proposal are implemented.
- **Providing Tools For Employers To Verify The Eligibility Of The Workers They Hire:** Employers will be required to verify the work eligibility of all employees using an employment eligibility verification system, while all workers will be required to present stronger and more verifiable identification documents. Tough new anti-fraud measures will be implemented and stiff penalties imposed on employers who break the law.
- **Creating A Temporary Worker Program:** To relieve pressure on the border and provide a lawful way to meet the needs of our economy, the proposal creates a temporary worker program to fill jobs Americans are not doing. To ensure this program is truly "temporary," workers will be limited to three two-year terms, with at least a year spent outside the United States between each term. Temporary workers will be allowed to bring immediate family members only if they have the financial ability to support them and they are covered by health insurance.
- **No Amnesty For Illegal Immigrants:** Illegal immigrants who come out of the shadows will be given probationary status. Once the border security and enforcement benchmarks are met, they must pass a background check, remain employed, maintain a clean criminal record, pay a \$1,000 fine, and receive a counterfeit-proof biometric card to apply for a work visa or "Z visa." Some years later, these Z visa holders will be eligible to apply for a green card, but only after paying an additional \$4,000 fine; completing accelerated English requirements; getting in line while the current backlog clears; returning to their home country to file their green card application; and demonstrating merit under the merit-based system.
- **Strengthening The Assimilation Of New Immigrants:** The proposal declares that English is the language of the United States and calls on the United States Government to preserve and enhance it, as well as enacting accelerated English requirements for many immigrants. In addition, the DHS Office of Citizenship will be expanded to include coordinating assimilation efforts in its mission, and the Education Secretary will make an English instruction program freely available over the Internet.
- **Establishing A Merit System For Future Immigration:** The proposal establishes a new merit-based system to select future immigrants based on the skills and attributes they will bring to the United States. Under the merit-based system, future immigrants applying for permanent residency in the U.S. will be assigned points for skills, education, and other attributes that further our national interest including: ability to speak English; level of schooling, including added points for training in science, math, and technology; job offer in a specialty or high-demand field; employer endorsement; and family ties to the U.S.
- **Ending Chain Migration:** The immigration system would be reformed to better balance the importance of family connections with the economic needs of our country by replacing the current system, where nearly two-thirds of green cards are awarded to relatives of U.S. citizens, with a system in which future family immigration will focus on the nuclear family and parents.
- **Clearing The Family Backlog In Eight Years:** Millions of family members of U.S. citizens now wait years in line for a green card, with some waits estimated at as long as 30 years. Family members who have applied legally and have lawfully waited their turn in line will receive their green card within eight years.

*Courtesy of the White House*

## **Border Security And Immigration Reform Agreement Overcomes 1986 Mistakes**

### ***Bipartisan Proposal Requires Tough Border Security And Worksite Enforcement Measures***

**The Bipartisan Border Security And Immigration Reform Agreement Addresses And Overcomes Failures Of The 1986 Immigration Reform And Control Act.** The 1986 Act failed because it gave a complete pardon (amnesty) to 3 million illegal immigrants as part of an automatic path to citizenship, did not provide the resources necessary to secure the borders adequately, relied on an employer verification system with only limited capability to detect ID fraud, provided inadequate penalties for employers who knowingly hire illegal immigrants, and made no provisions to meet future labor needs of U.S. employers in a growing economy.

#### **In Contrast, The Bipartisan Border Security And Immigration Reform Agreement:**

1. Does not offer amnesty to illegal immigrants already here;
2. Contains much tougher border security triggers that must be in place and operational before the Z visa and temporary worker programs take effect;
3. Requires that a sophisticated Employment Eligibility Verification System (EEVS) capable of rooting out fraud be ready to process all new hires before the Z visa and temporary worker programs take effect;
4. Substantially increases penalties on employers for knowingly hiring illegal immigrants; and
5. Creates a temporary worker program to relieve pressure on the border and provide a lawful way to meet our economic needs.

#### **1. No Amnesty**

**Illegal Immigrants Already Here Must Acknowledge That They Broke The Law And Pay A Fine.** In order to obtain a Z visa granting temporary legal status, workers in the country before January 1, 2007, must acknowledge that they broke the law, pay a \$1,000 fine, pass criminal background checks, remain employed, and maintain a clean record.

- **Z Visa Workers Must Pay An Additional Fine, Learn English, And Meet Other Requirements To Apply For A Green Card, And Cannot Receive One Until Years In The Future.** Z visa workers must apply at the back of the line and wait until the current backlog is cleared, pay an additional \$4,000 fine, complete accelerated English requirements, maintain employment, leave the U.S. and file their application in their home country, and demonstrate merit based on the skills and attributes they will bring to the United States.
- **The 1986 Act Created An Automatic Path To Citizenship That Provided Green Cards After Just 18 Months, But Satisfying The Requirements In This Proposal Will Take Most Green Card Applicants More Than A Decade.**

## 2. Strengthening Border Security

**Tough Border Security Benchmarks Must Be Met Before The Z Visa And Temporary Worker Programs Go Into Effect.** These triggers include constructing 370 miles of fencing and 200 miles of vehicle barriers at the border and finishing doubling the size of the Border Patrol since the President took office – a goal previously set by the President and already well on its way to achievement.

- **The Department Of Homeland Security Is On Track To Build 150 Miles Of Fence By The End Of September 2007 And To Build 370 Miles By The End Of Calendar Year 2008.** Currently, about 86 miles of fence have been built along the border, with 64 additional miles planned by the end of September 2007.
- **We Have Expanded The Border Patrol From About 9,000 Agents In 2001 To More Than 13,000 Agents Today, And By The End Of 2008, We Will Have More Than 18,000 Agents On The Job.**
- **With Enhanced Enforcement, We Have Already Seen A Tremendous Change At The Border.** The number of people apprehended for illegally crossing our Southern border is down by nearly 27 percent in 2007 from this point in 2006.
  - **The 1986 Act Provided Only About 4,000 Agents For The Border Patrol.** By contrast, we will have more than four times that number of Border Patrol agents in place before the Z visa and temporary worker programs go into effect. In addition, improvements in infrastructure and technology at the border make border enforcement more achievable now than it was 20 years ago. For example, today, we have in place:
    - 5,290 sensors on the southern border
    - 687 night time cameras on the southern border
    - 449 day time cameras on the southern border
    - 1 Unmanned Aerial System (UAS) in Southern AZ

## 3. Putting A Workable Employer Verification System In Place

**An Employment Eligibility Verification System (EEVS) Must Be Ready To Process New Hires Before The Z Visa And Temporary Worker Programs Go Into Effect.**

Employers will be required to verify the work eligibility of all employees using the EEVS, and all workers will be required to present stronger and more readily verifiable identification documents.

- **The EEVS Will Require Presentation Of A Limited Range Of Highly Secure Government IDs, Which Will Be Checked Electronically Against Federal And State Databases.** When a worker presents an identification document to obtain employment, the EEVS will perform an electronic check against Federal and State databases. The Social Security Administration will be asked to confirm whether the name and Social Security number presented by the worker are a "match" in its files. Furthermore, the EEVS will use links to the U.S. State Department and individual State Departments of Motor Vehicles to provide employers with the digital photograph associated in government databases with the ID presented. Once employers have direct access to the original photograph associated with an ID, it will be much harder for illegal immigrants to fool them with fake documents.

- **The 1986 Act Relied On A Verification System That Did Not Have The Capacity To Detect ID Fraud.** More than two dozen documents are acceptable under the 1986 system, and employers are not legally required to verify the documents' authenticity.

#### **4. Increasing Penalties For Employers Who Knowingly Hire Illegal Immigrants**

##### **Employers Who Hire Illegal Workers Will Face Stiff New Criminal And Civil Penalties.**

The maximum civil fine for hiring illegal workers will rise from the 1986 level of \$2,000 to \$5,000 for first offenders and from the 1986 level of \$10,000 to \$25,000 for three-time offenders. The maximum criminal penalty for a pattern or practice of hiring illegal workers will increase 25-fold, from \$3,000 per alien to \$75,000 per alien.

#### **5. Creating A Temporary Worker Program**

**By Creating A Lawful And Orderly Channel For Foreign Workers To Come To America On A Temporary Basis, The Temporary Worker Program (TWP) Will Help Reduce The Number Of People Trying To Sneak Across The Border.** The TWP will help meet our economic needs by allowing workers to enter the country legally on a temporary basis to fill jobs that Americans are not doing.

- **TWP Workers Can Come To The U.S. Only On A Temporary Basis.** To ensure that "temporary" means "temporary," workers are limited to three two-year terms, with at least one year spent outside the United States between each term.
- **The TWP Will Allow U.S. Law Enforcement To Focus More Of Its Resources On Apprehending Violent Criminals And Terrorists Who Pose A Threat To Our Security**
- **The 1986 Act Failed To Address Our Economy's Need For Immigrant Labor.** Further illegal immigration was encouraged by this lack of a legal avenue to meet the labor needs of U.S. employers.

*Courtesy of the White House*

## Immigration Fact Check: Responding To Key Myths

### **1. MYTH: Ending the current green card backlog would result in 900,000 new residents per year on top of current numbers.**

- **FACT:** The current proposal aims to end the green card backlog in eight years. However, this does not mean that 3.5 to 4 million people over the current number will be admitted into the country. The backlog will be cleared in two ways:
  1. 240,000 green cards are being shifted from other priorities within the existing green card pool. This is important – it does not represent an increase in the number of green cards given, it is simply a reallocation of green cards that are authorized for issuance within the current system.
  2. Separately, the number of green cards will be *temporarily* increased by 200,000 for each of the eight years after the enactment of the bill. This is an increase, but it does not mean 200,000 applicants *plus* their spouses and children. It is 200,000 new people total.
- **FACT:** About 15 percent of family-based green card recipients are already residing in the U.S. on temporary visas or illegally. Thus, only about 170,000 additional individuals per year are entering the country.

### **2. MYTH: The border security and employer enforcement triggers can be waived.** It has been asserted that the bill contains the following language: "b) Subsection (a) of this section shall apply only if the President certifies within 180 days of enactment that the border security and other measures described in such subsection can be completed within 18 months of enactment, subject to the necessary appropriations."

- **FACT:** This is false. This language is not in the bill currently, but was in an earlier draft. Instead, the bill contains a sense of Congress that all triggers can be met in 18 months. All triggers must be met before the guest worker program or the Z visa program could begin.

### **3. MYTH: Z visa applicants (current undocumented) do not have to pay fines.**

- **FACT:** Z visa applicants will have to pay a \$1,000 fine for heads of households and an additional \$500 fine for each dependent (spouses and children). There will also be a processing fee of up to \$1,500 and a \$500 state impact assistance fee. The \$1,000 is not the cost of the visa, but rather a fine for having broken the law. The processing fee will take care of the costs of the visa. The fines and fees are not the only hurdle – applicants must be employed, pass background checks, pay processing fees, and agree to meet accelerated English and civics requirements to get their Z visas.
- **FACT:** A Z visa holder wishing to remain in the country under their Z visa indefinitely would still have to renew their visa every four years. Renewing the Z visa means more processing fees (again, up to \$1,500 each time). The financial liability for Z visa holders starts to add up very quickly if holders choose to remain in this status instead of pursuing Legal Permanent Resident (LPR) status.

### **4. MYTH: DHS only has only one day to complete background checks.**

- **FACT:** Obtaining Legal Permanent Resident (LPR) status is a multi-step process that includes thorough background checks with no guarantees. It can be broken down into three parts: probationary period, Z status, and LPR.



1. **Probationary Period.** The undocumented worker comes out of the shadows to acknowledge they have broken the law. In order to obtain probationary status, they must show they are employed and pass a preliminary background check. There is a provision in the bill that says DHS has one day to find a “disqualifying factor,” but that is not the end of the process. That is a very short term way of ensuring that if someone comes out of the shadows and admits their illegality, they will not be deported while the process is ongoing and can continue working while the full background check is completed. At any time if something pops up, the applicant becomes deportable, and will never have a chance at Z status and certainly not LPR status.
2. **Z Status.** If they have passed the hurdles above, the undocumented worker is considered for Z status. At this stage they must pay their \$1,000 fine (\$1,000 is just for a head of household – there is an additional fine of \$500 for each dependent) and processing fees; are subject to updated background checks to make sure they have not committed crimes while in probationary status; agree to meet English and civics standards as a condition of renewal; and show employment. There is no one day “Treatment of applications” in this process. One must complete or agree to all of the above before they are able to achieve Z status.
3. **LPR Status.** Here, there is another \$4,000 fine and more processing fees. More background checks are also conducted in order to make sure that the applicant has kept his or her record clean. The applicant will have had to have stayed employed and met the English and civics requirements. They will have to make an application from their home country, go to the back of the line, and demonstrate merit under the new green card points system. Then, and only then, will the undocumented worker obtain a green card.

### **5. MYTH: The bill will impose a huge new tax on businesses that follow the law.**

- **FACT:** Companies are held liable if their contractors and subcontractors hire undocumented workers. However, the Department of Homeland Security will create systems to help ensure these burdens can be met by employers who want to follow the law through the Employment Eligibility Verification System (EEVS) and other procedures.
- **FACT:** This bill seeks to help employers verify the status of workers. Enforcement of the paperwork fines will be targeted against those employers trying to avoid the law and hire illegal workers. The law includes a provision for the Secretary of Homeland Security to send a pre-penalty notice where he believes there may be a violation, and the employer can avoid a penalty by showing mitigating circumstances (e.g., good faith compliance).
- **FACT:** This bill does not seek to put the sole responsibility for legal hiring practices on the government OR the private sector. The bill is designed to have participation from the business community so the government can easily determine which employers are knowingly violating the law.

### **6. MYTH: The bill does not crack down on employers who violate the law.**

- **FACT:** In the bill, fines for hiring an illegal worker are \$5,000 maximum per illegal worker for the first offense, \$10,000 maximum per illegal worker for the second, and \$25,000 maximum per illegal worker for the third.

*Courtesy of the White House*  
**What They're Saying:**

## **Commentary On "Breakthrough" Border Security And Immigration Reform Agreement**

*Proposal Is "Best Chance In Years" For Comprehensive Immigration Reform*

### **"Breakthrough On Immigration"**

***The Washington Post:*** "The bipartisan deal on immigration announced in the Senate yesterday is a breakthrough: It probably represents the best hope in decades to fix this country's non-functioning immigration system." (Editorial, "Breakthrough On Immigration," *The Washington Post*, 5/18/07)

***Los Angeles Times:*** "There have been many 'breakthroughs' on immigration reform over the last two years, but the one reached by Senate negotiators Thursday came with at least two things we haven't seen before: a realistic, bipartisan plan for legalizing illegal immigrants and a meritocratic overhaul of the haphazard system for awarding visas." (Editorial, "Bordering On Real Reform," *Los Angeles Times*, 5/18/07)

***Pasadena [CA] Star News:*** "At last, the Senate and the Bush administration have made what could be a real breakthrough on fixing our immigration system." (Editorial, "Real Immigration Solution In Works," *Pasadena [CA] Star News*, 5/19/07)

### **"The Proposed Legislation Isn't Amnesty"**

***Dallas [TX] Morning News:*** "Why border hawks should like the Senate plan: 18,000 new border agents; Ends 'catch and release' of illegal immigrants; 70 new radar towers; Resources to detain 27,500 illegal immigrants a day; An electronic verification system for all employees; Illegal workers lose their jobs; Employers face big fines." (Editorial, "A Good Starting Point," *Dallas [TX] Morning News*, 5/20/07)

***Orlando [FL] Sentinel:*** "The framework of this bill is solid. ... The proposed legislation isn't amnesty... Paying \$5,000, as undocumented immigrants would have to do, isn't a free ride. They would also have to briefly return to their country, and go through background checks. ... The policy shift will address the need for specialty jobs like nursing. So whether it's a busboy or an academic with a Ph.D., the system will embrace those willing to work legally." (Editorial, "Don't Sink It," *Orlando [FL] Sentinel*, 5/19/07)

### **Proposal "Represents The Middle Ground"**

***The San Diego [CA] Union-Tribune:*** "It is easy to say what you're against but, every once in a while, you have to stand up and say what you're for. That is exactly what a group of Republicans and Democrats have done in putting together a compromise that combines border enforcement, a temporary guest-worker program and a conditional path to legal status for millions of illegal immigrants. ... Senators need to give this compromise bill a full and fair hearing, and offer constructive amendments to make the legislation better." (Editorial, "Time To Deliver," *The San Diego [CA] Union-Tribune*, 5/18/07)

***The [Charleston, SC] Post And Courier:*** "The over-arching virtue of the new bill is that it represents the middle ground between harsh and lax enforcement of the law. It also achieves a sensible balance between the pressing needs of agriculture and other industries that rely on foreign workers and the requirement that they be lawfully employed." (Editorial, "Good Immigration Compromise," *The [Charleston, SC] Post And Courier*, 5/18/07)

# Recess Resource Kit Supplement

House Republican Conference

**Newsweek's Fareed Zakaria:** "The compromise immigration bill worked out in the Senate by Sens. Ted Kennedy and John Kyl is imperfect. But in broad terms it solves many of the problems with the current immigration system... It does what legislation in a large and diverse country should do – makes trade-offs, compromises and accommodations to actually get something done." (Fareed Zakaria, "America's New Know-Nothings," *Newsweek*, 5/28/07)

## **"Immigration Reform Has To Be Done"**

**Pittsburgh [PA] Post-Gazette:** "Immigration reform has to be done, it has to succeed and it can't wait. If the demagogues succeed in derailing it, America will be the loser. To their credit, President Bush and some in the Senate are now bravely defying the naysayers." (Editorial, "Fair Deal," *Pittsburgh [PA] Post-Gazette*, 5/20/07)

**The Baltimore [MD] Sun:** "...[A]ll the negotiators – including two members of Mr. Bush's Cabinet – deserve credit for giving a long-overdue update of the nation's immigration laws its best chance in years. ... The rest of Congress should take advantage of this opportunity to make solid progress toward developing an immigration policy that is realistic, effective and humane." (Editorial, "Cooperation Works," *The Baltimore [MD] Sun*, 5/18/07)

**The Denver [CO] Post:** "Senate leaders and the White House forged a vital compromise Thursday that could lead to historic changes in this country's broken immigration system." (Editorial, "A Chance For Serious Immigration Reform," *The Denver Post*, 5/18/07)

**The [Portland, OR] Oregonian:** "This bill would indeed do something. It would provide the first true progress on immigration reform in 21 years. Members of Congress from Oregon and Washington state should get behind this legislation, or some version of it. It's the best shot this country has had to fix its broken borders in a painfully long time." (Editorial, "A 'Last Gasp' For Immigration Reform," *The [Portland, OR] Oregonian*, 5/19/07)

**The Myrtle Beach [SC] Sun-News:** "Trying to wall off the southern border while rounding up and deporting the 11 million to 12 million illegal immigrants in the country won't work and would, in any case, be self-defeating. ... The president's guest-worker proposals have always made sense to us because they have the potential to rationalize the problem – for good." (Editorial, "Call On Congress," *The Myrtle Beach [SC] Sun-News*, 5/20/07)

## **"The Foundation Is In Place For The Most Meaningful Immigration Reform Legislation To Emerge In Many Years"**

**The [Pittsfield, MA] Berkshire Eagle:** "...[W]hile the bill will assuredly get battered in its trip through Congress, the foundation is in place for the most meaningful immigration reform legislation to emerge in many years. ... Concerns aside, this legislation represents progress on one of the most complex and emotional issues facing Americans." (Editorial, "Progress On Immigration Reform," *The [Pittsfield, MA] Berkshire Eagle*, 5/20/07)

**NPR's Juan Williams:** "I like the bill. ...it's a starting point, but this is a wonderful starting point." (Fox News' "The Beltway Boys," 5/19/07)

**The Weekly Standard's Fred Barnes:** "I think it's an excellent bill..." (Fox News' "The Beltway Boys," 5/19/07)

**Ventura County [CA] Star:** "The compromise between President Bush and bipartisan Senate leaders is the last, best shot at meaningful immigration reform." (Editorial, "Deal On Immigration," *Ventura County [CA] Star*, 5/20/07)

*Courtesy of the White House*

## **Myth/Fact:**

### **Ten Key Myths About The Border Security And Immigration Reform Agreement**

#### **1. MYTH: This is amnesty.**

- **FACT:** Amnesty is the forgiveness of an offense without penalty. This proposal is not amnesty because illegal workers must acknowledge that they broke the law, pay a \$1,000 fine, and undergo criminal background checks to obtain a Z visa granting temporary legal status.
- **FACT:** To apply for a green card at a date years into the future, Z visa workers must wait in line behind those who applied lawfully, pay an additional \$4,000 fine, complete accelerated English requirements, leave the U.S. and file their application in their home country, and demonstrate merit based on the skills and attributes they will bring to the United States.
- **FACT:** Workers approved for Z visas will be given a temporary legal status, but they will not enjoy the full privileges of citizens or Legal Permanent Residents, such as welfare benefits and the ability to sponsor relatives abroad as immigrants.

#### **2. MYTH: This proposal repeats the mistakes of the 1986 Immigration Reform and Control Act.**

- **FACT:** The 1986 Act failed because it provided amnesty for 3 million immigrants, did not adequately secure borders, did not include a workable employer verification system, and created no legal avenue to meet the labor needs of the American economy.
- **FACT:** This proposal addresses every one of the shortcomings from 1986:
  - **No Amnesty:** Illegal workers must acknowledge that they broke the law and pay a fine to be eligible for a Z visa.
  - **Border Security:** Border security benchmarks must be met before the Z visa and temporary worker programs go into effect. These triggers include: constructing 370 miles of fencing and 200 miles of vehicle barriers at the border and increasing the size of the Border Patrol to 18,000 agents.
  - **Employer Verification System:** An Employment Eligibility Verification System must be ready to process new hires before the Z visa and temporary worker programs go into effect.
  - **Temporary Worker Program:** A temporary worker program will relieve pressure on the border and provide a lawful way to meet the needs of our economy.
- **FACT:** The 1986 Act offered green cards after just 18 months, but under this proposal, green card applicants must meet a number of responsibilities – something which will take most candidates more than a decade.

### **3. MYTH: The government will not and cannot meet its promise to crack down on the hiring of illegal workers.**

- **FACT:** Before the Z visa and temporary worker programs go into effect, an Employment Eligibility Verification System (EEVS) must be in place and ready to prevent unauthorized workers from obtaining jobs in the United States.
- **FACT:** Employers will be required to verify the work eligibility of all employees using the EEVS, and all workers will be required to present stronger and more readily verifiable identification documents. Tough new anti-fraud measures will be implemented to restrict fraud and identity theft.
- **FACT:** Employers who hire illegal workers will face stiff new criminal and civil penalties. For example, the maximum criminal penalty for a pattern or practice of hiring illegals will increase 25-fold, from \$3,000 per alien to \$75,000 per alien.

### **4. MYTH: This proposal would cut in half the amount of fence authorized by the Secure Fence Act of 2006.**

- **FACT:** The Secure Fence Act of 2006 – which authorized the construction of hundreds of miles of additional fencing; more vehicle barriers, checkpoints, and lighting; and increased use of advanced technology – will remain unchanged.
- **FACT:** At least half of the additional fencing authorized by the Secure Fence Act must be built before the temporary worker program and Z visa could go into effect.

### **5. MYTH: The trigger period will cause a rush to the border.**

- **FACT:** To be eligible to apply for a Z visa, illegal immigrants must prove they were in the country prior to January 1, 2007.
- **FACT:** Anyone caught crossing the border after the new law passes will be fingerprinted and permanently barred from receiving work or tourist visas from the U.S., creating a strong disincentive to illegal immigration.

### **6. MYTH: By providing an opportunity for citizenship to illegal immigrants already here, the bill will exponentially increase extended-family chain migration.**

- **FACT:** The proposal reforms our immigration system to create a new balance between family connections and our national interests and economic needs.
- **FACT:** Visas for parents of U.S. citizens are being capped, while visas for siblings and adult children are eliminated.
- **FACT:** To help keep our economy competitive, a new merit-based system similar to those used by other countries will give preference to attributes that further our national interest such as: job offers in high-demand fields, ability to speak English, and education.

## **7. MYTH: The temporary worker program is bad for American workers.**

- **FACT:** The temporary worker program relieves pressure on the border and meets our economic needs by allowing workers to enter the country to fill jobs that Americans are not doing.
- **FACT:** The program protects American workers by requiring U.S. employers to advertise the job in the United States at a competitive wage before hiring a temporary worker.
- **FACT:** To ensure "temporary" means "temporary," workers are limited to three two-year terms, with at least a year spent outside the United States between each term.
- **FACT:** A cap of 400,000 is set on the program, which can be adjusted up or down in the future depending on demand.

## **8. MYTH: Illegal immigrants will come out of the shadows and on to the welfare rolls.**

- **FACT:** Z visa workers are not entitled to welfare, Food Stamps, SSI, non-emergency Medicaid, or other programs and privileges enjoyed by U.S. citizens and some Legal Permanent Residents.
- **FACT:** In order to apply for and maintain Z visa status, workers must remain employed.

## **9. MYTH: Government agencies will not be able to share information to pursue immigration violators.**

- **FACT:** Under this proposal, there will be unprecedented information sharing between Federal, State, and local agencies to ensure that immigration laws are respected and enforced.
- **FACT:** The new Employment Eligibility Verification System, which employers will be required to use for all employees, will rely on unprecedented information sharing across Federal and State databases, including Social Security records, passport and visa records, and State driver's licenses.
- **FACT:** For Z visa applicants, DHS has authority to share information with law enforcement about terrorist aliens, security risks, and criminal aliens, including aliens who lie on their applications and aliens who commit fraud.
- **FACT:** Under this proposal, DHS will receive Social Security Administration "no match" information on individuals and information on multiple uses of the same social security number by more than one individual.

## **10. MYTH: Senators are being asked to vote Monday on a lengthy bill that they will not have time to read.**

- **FACT:** Monday's vote is only a procedural vote to bring the bill to the floor for debate, not a vote on the bill itself.
- **FACT:** This bill is the product of months of extraordinary negotiations between Senators from both parties and Cabinet-level officials.

HOUSE REPUBLICAN CONFERENCE

CHAIRMAN ADAM PUTNAM

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